

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

JOSEPH KAISER,

Plaintiff,

v.

DAY & ZIMMERMANN LLC d/b/a/  
DAY & ZIMMERMANN SECURITY  
SERVICES,

Defendant.

HONORABLE JOSEPH E. IRENAS

CIVIL ACTION NO. 08-2234  
(JEI/AMD)

**MEMORANDUM ORDER**

**APPEARANCES:**

LAW OFFICES OF GEORGE R. SZYMANSKI  
By: George R. Szymanski, Esq.  
1370 Chews Landing Road  
Laurel Springs, NJ 08021  
Counsel for Plaintiff

LITTLER MENDELSON P.C.  
By: Kimberly J. Gost, Esq.  
Nina K. Markey, Esq.  
1601 Cherry Street, Suite 1400  
Philadelphia, PA 19102  
Counsel for Defendant

**IRENAS**, Senior District Judge:

This matter having appeared before the Court upon Plaintiff Joseph Kaiser's letter (Dkt. No. 36) seeking an extension to file his opposition brief with respect to Defendant's pending Motion for Summary Judgment, and it appearing that:

1. Pursuant to this Court's Memorandum Order of July 20, 2009, Plaintiff was required to file his opposition brief no

later than Friday, August 28, 2009. (Dkt. No. 35)

2. On August 27, 2009, Plaintiff filed a letter seeking his third extension of time to file his opposition brief. (Dkt. No. 36) Plaintiff seeks an extension until Friday, September 4, 2009, to file the brief. Defendant filed a letter opposing Plaintiff's latest extension request.<sup>1</sup> (Dkt. No. 37)

And for good cause shown;

**IT IS**, on this **1st** day of September, 2009,

**ORDERED THAT**

1. This Memorandum Order supersedes the Court's Memorandum Order of July 20, 2009, to the extent the Orders are inconsistent.
2. Plaintiff's request for an extension to file his opposition brief is hereby **GRANTED**. Plaintiff shall file his opposition brief no later than **Friday, September 4th, 2009**. Any opposition brief filed after that date will not be considered by the Court.
3. The parties will appear on **Friday, September 18th, 2009**, at **11:00 AM** in Courtroom 1 of the United States Courthouse in Camden, New Jersey, for oral argument on Defendant's Motion for Summary Judgment. Oral argument will proceed regardless

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<sup>1</sup> On August 29, 2009, after Plaintiff failed to file an opposition brief, Defendant filed a letter asking the Court to grant its Motion for Summary Judgment as unopposed. (Dkt. No. 38)

of whether Plaintiff submits a brief by Friday, September 4th, 2009.

4. No reply brief by Defendant shall be filed at this time. If the Court determines that a reply brief would be helpful to the disposition of this Motion for Summary Judgment, Defendant will be afforded an opportunity to file such a brief.

s/ Joseph E. Irenas  
**JOSEPH E. IRENAS, S.U.S.D.J.**